

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

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|---------------------------|---|
| GARY THOMAS SINGLETON, |) |
| |) |
| Petitioner, |) |
| |) |
| v. |) |
| |) |
| STATE OF ALABAMA; and the |) |
| ATTORNEY GENERAL OF |) |
| THE STATE OF ALABAMA, |) |
| |) |
| Respondents. |) |

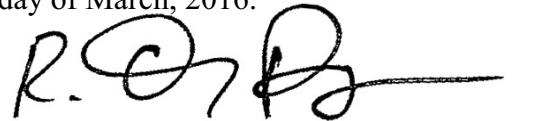
Case No. 5:15-cv-1194-RDP-TMP

MEMORANDUM OPINION

The Magistrate Judge filed his Report and Recommendation on February 22, 2016, recommending dismissal of Petitioner's 28 U.S.C. § 2254 petition for *habeas corpus* relief. (Doc. 11). To date no objections to the Report and Recommendation have been filed. Having now carefully considered *de novo* all the materials in the court file, including the Report and Recommendation, the court is of the opinion that the Magistrate Judge's Report is **ADOPTED** and the recommendation **ACCEPTED**.¹

It is therefore **ORDERED** that the claim for *habeas corpus* relief pursuant to 28 U.S.C. § 2254 in the above-styled cause be and hereby is due to be denied and dismissed without prejudice. A separate order in accordance with this memorandum opinion will be entered.

DONE and **ORDERED** this 15th day of March, 2016.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE

¹The court is aware Petitioner filed a motion to hold this case in abeyance as he seeks the permission of the Eleventh Circuit to file this successive petition. (Doc. #10). But that motion, filed over four months ago, does not account for the fact that Petitioner's claims are time-barred, in any event.